

OCT 25 2002

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	FINDINGS OF FACT,
PETITIONER,)	CONCLUSIONS OF LAW,
)	RECOMMENDED ORDER AND
VS.)	ORDER
)	
RAPHAEL CHARLES KOURI,)	
)	CAUSE NO. A-1482
)	
RESPONDENT.)	

This matter came on for hearing on the 24th day of September 2002, before Eric Dunning, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its attorney, Manuel Montelongo. Raphael Charles Kouri ("Respondent") was not present and was not represented by an attorney. The proceedings were tape recorded by Stacey Bellefeuille, a licensed Notary Public. Evidence was introduced, and the matter was taken under advisement. As a result of the hearing, the Hearing Officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. Respondent is a licensed resident Nebraska insurance producer whose current registered address with the Department is ICT Group, Inc, 5100 NW 33rd Avenue #150, Ft. Lauderdale, FL 33309.
2. The Department is the agency of the State of Nebraska charged with licensing insurance agents and brokers.

3. The Department filed a Petition and Notice of Hearing on or about September 6, 2002, which were served upon the Respondent by mailing the same to his address of record by certified mail, return receipt requested. On or about October 15, 2002, the envelope containing the Petition and Notice of Hearing was returned to the Department and had been forwarded to a different address from the Respondent's registered address. The envelope was marked as refused at time of delivery. On or about September 6, 2002, the Department ensured service upon the Respondent by mailing said Petition and Notice of Hearing to his address of record via first class United States Mail, as evidenced by Exhibit #1.

4. The Department, in its Petition, alleged that Respondent violated Neb. Rev. Stat. § 44-4059(i) which states that the Director may impose a fine, suspend or revoke an agent's license if that person has had "an insurance producer license, or its equivalent, denied, suspended, placed on probation, or revoked in Nebraska or in any other state, province, district, or territory" as a result of the following conduct:

- a. On or about July 3, 2002, the State of Florida revoked any and all licenses and appointments previously issued to the Respondent.

5. The Department, in its Petition, alleged that Respondent violated Neb. Rev. Stat § 44-4059(f) which states that the Director may impose a fine, suspend or revoke an agent's license if that person has "been convicted of a felony or a Class I, II or III misdemeanor" as a result of the following conduct:

- a. On or about January 24, 2002, in the United States District Court, in the Northern District of Illinois, Case Number 98 CR 738-1, Respondent was found guilty of blackmail and other similar forms of extortion, all felonies.

CONCLUSIONS OF LAW

1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to Neb.Rev.Stat. § 44-101.01, § 44-361, § 44-4001 et seq. (repealed as of September 1, 2001), and § 44-4047 et seq. (effective as of September 1, 2001).
2. The Department has personal jurisdiction over Respondent.
3. The Respondent violated Neb.Rev.Stat. §44-4059(f) and (i).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's Nebraska resident insurance agent's license be revoked, effective upon the date the Director of Insurance signs this order.

Dated this 25th day of October, 2002.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

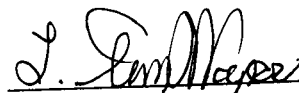

HEARING OFFICER

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska Department of Insurance v. Raphael Charles Kouri, Cause No. A-1482.

Dated this 25th day of October, 2002.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent at ICT Group, Inc., 5100 NW 33rd Avenue #150, Ft. Lauderdale, FL 33309 by certified mail, return receipt requested, on this 25 day of October, 2002.

